

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ELAINE L. CHAO,)	
SECRETARY OF LABOR,)	
UNITED STATES DEPARTMENT OF LABOR,)	
Plaintiff,)	Case No. 05-2484 KHV
)	
v.)	
)	
C & M TRANSPORTATION, INC.)	
401(k) PLAN,)	
Defendant.)	

JUDGMENT

Plaintiff having filed her complaint, and Defendant C & M Transportation, Inc. 401(k) Plan (the "401(k) Plan") having agreed to the entry of this Judgment without contest;

This Court having jurisdiction over the parties to this Judgment; and this Court being empowered to provide the relief described herein, and for cause shown:

It is hereby ORDERED, ADJUDGED, and DECREED that:

The firm of Blackwell Sanders Peper Martin is hereby appointed as the Independent Fiduciary to file any necessary claims and/or bring any legal action necessary on the fidelity bond issued by The Hartford, which provided bonding coverage for C & M Transportation, Inc.'s ERISA covered plans, and shall have the authority to make the distribution of any ERISA covered plan assets that are

recovered under this bond. The Independent Fiduciary shall serve at no cost to the Defendant Plan or its participants.

Nothing in this Judgment is binding on any governmental agency other than the United States Department of Labor, Employee Benefits Security Administration.

This Court shall retain jurisdiction over this action and the parties hereto as may be necessary to enforce the provisions of the judgment.

Each party shall bear his or her own attorneys' fees, costs and other expenses incurred by such party to date in connection with any stage of the above-referenced proceeding including, but not limited to, attorneys' fees, costs and other expenses which may be available under the Equal Access to Justice Act, as amended.

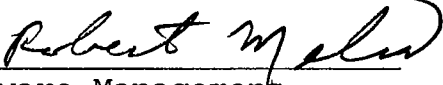
The Court directs the entry of this Consent Judgment as a final Order.

Dated this 2nd day of December,
2005.

s/ Kathryn H. Vratil
United States District Judge

APPROVED AND CONSENTED TO:


Defendant C & M Transportation,
Inc., 401(k) Plan

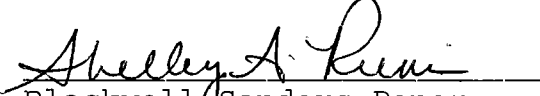

Delaware Management
Trust Company, Trustee


Howard M. Radzely
Solicitor of Labor
D.C. Bar No. 437957

Michael A. Stabler
Regional Solicitor
MO Bar No. 26211

Agreed to:


Malinda B. Schoeb
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Counsel for Wage-Hour


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